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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 17 2003

OFFICIAL

Appl. No. : 09/218,411
Applicant : MICHAEL C.G. LEE, ET AL
Filed : December 22, 1998
TC/A.U. : 2662
Examiner : Hanh N. Nguyen

Confirmation No. 3145

Docket No. : 77682-182
Customer No. : 07380

Commissioner for Patents
Alexandria, VA 22313-1450
U.S.A.

Dear Sir:

In response to the Office Action of August 18, 2003, in respect of the above-identified application, Applicant submits the following remarks.

REMARKS

Applicant notes with appreciation Examiner's allowance of claims 1-18 as indicated on page 5 of the Office Action. Accordingly, the following submissions are made only with respect to remaining claims 19-28.

35 U.S.C. 103(a) Rejections

The Examiner has rejected claims 19, 20, and 21 under 35 U.S.C. 103(a) as being unpatentable over Lubin *et al.* (U.S. Patent No. 6,434,395 B1) in view of Jennings *et al.* (U.S. Patent No. 6,430,174 B1).

Lubin discloses a radio telephone handset which includes the capability of operating as a data transfer terminal as well as an analog cellular subscriber station. The handset of Lubin is disclosed as having two distinct modes of operation, namely, an analog cellular communication mode, and a Cellular Digital Packet Data (CDPD) mode. These two modes are described as

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